

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

SONOS, INC.,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

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NO. 6:20-cv-00881-ADA
JURY TRIAL DEMANDED

**DECLARATION OF MARK D. SIEGMUND IN SUPPORT OF
SONOS, INC.'S RESPONSE TO GOOGLE LLC'S MOTION TO TRANSFER
PURSUANT TO 28 U.S.C. § 1404(A)**

I, Mark D. Siegmund, declare and state as follows:

1. I am an attorney at Walt Fair, PLLC representing Sonos, Inc. (“Sonos”) in this matter. If called as a witness, I could and would testify competently to the information contained herein.

2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from Plaintiff Sonos, Inc.’s Second Supplemental Preliminary Infringement Contentions and Identification of Priority Dates served on June 4, 2021.

3. Attached hereto as Exhibit 2 is a true and correct copy of a document titled “Google Podcasts, Client Interface” produced by Google at Bates numbers GOOG-SONOSWDTX-00037644-51. The document is designated “Highly Confidential – Attorneys’ Eyes Only”.

4. Attached hereto as Exhibit 3 is a true and correct copy of a document titled “Cast SDK Media Server” produced by Google at Bates numbers GOOG-SONOSWDTX-00038455-57. The document is designated “Highly Confidential – Attorneys’ Eyes Only”.

5. Attached hereto as Exhibit 4 is a true and correct copy of a Google Cloud blog post titled “Spotify chooses Google Cloud Platform to power data infrastructure,” posted February 23, 2016, available at. <https://cloud.google.com/blog/products/gcp/spotify-chooses-google-cloud-platform-to-power-data-infrastructure>.

6. Attached hereto as Exhibit 5 is a true and correct copy of an email from Google counsel, Patrick Curran to Sonos counsel, Cole Richter, dated January 31, 2021, in the matter of *Google LLC v. Sonos, Inc.*, No. 3-20-cv-06754 (N.D. Cal.). The document is designated “Highly Confidential – Attorneys’ Eyes Only – Source Code.”

7. Attached hereto as Exhibit 6 is a true and correct copy of an article titled “Google says it plans ‘significant’ expansion in Austin,” updated June 15, 2019, available at

<https://www.statesman.com/news/20190614/google-says-it-plans-significant-expansion-in-austin>.

8. Attached hereto as Exhibit 7 is a true and correct copy of Google LLC's Objections and Responses to Plaintiff Sonos, Inc.'s Second Set of Interrogatories, served March 22, 2021. The document is designated "Highly Confidential – Attorneys' Eyes Only."

9. Attached hereto as Exhibit 8 is a true and correct copy of Google LLC's Objections and Responses to Plaintiff Sonos, Inc.'s First Set of Interrogatories, served February 22, 2021. The document is designated "Highly Confidential – Attorneys' Eyes Only."

10. Attached hereto as Exhibit 9 is a true and correct copy of Google LLC's Objections and Responses to Plaintiff Sonos, Inc.'s Third Set of Interrogatories, served May 7, 2021. The document is designated "Highly Confidential – Attorneys' Eyes Only."

11. Attached hereto as Exhibit 10 is a true and correct copy of Google's webpage listing its data center locations, <https://www.google.com/about/datacenters/locations/>.

12. Attached hereto as Exhibit 11 is a true and correct copy of Willie D.'s profile, a third-party prior art witness identified by Google and located in the WDTX.

13. Attached hereto as Exhibit 12 is a true and correct copy of the Declaration of Joni Hoadley, a former Sonos, Inc. employee and a named inventor of the '615 and '033 Patents.

14. Attached hereto as Exhibit 13 is a true and correct copy of a webpage containing information on Intel Corp.'s presence in Texas.

15. Attached hereto as Exhibit 14 is a true and correct copy of a webpage containing information on Qualcomm Techs., Inc.'s presence in Texas.

16. Attached hereto as Exhibit 15 is a true and correct copy of a webpage containing information on Synaptics Inc.'s presence in Texas.

17. Attached hereto as Exhibit 16 is a true and correct copy of a webpage containing information on NXP Semiconductors N.V.'s presence in Texas.

18. Attached hereto as Exhibit 17 is a true and correct copy of a webpage containing information on Marvell's presence in Texas.

19. Attached hereto as Exhibit 18 is a true and correct copy of a webpage containing information on Samsung's presence in Texas.

20. Attached hereto as Exhibit 19 is a true and correct copy of a webpage containing information on Broadcom, Inc.'s presence in Texas.

21. Attached hereto as Exhibit 20 is a true and correct copy of a webpage containing information on SK hynix Inc.'s presence in Texas.

22. Attached hereto as Exhibit 21 is a true and correct copy of a webpage containing information on Micron Tech., Inc.'s presence in Texas.

23. Attached hereto as Exhibit 22 is a true and correct copy of LinkedIn Profile of Andrew Greene.

24. Attached hereto as Exhibit 23 is a true and correct copy of an email from Hannah Santasawatkul, Law Clerk to the Honorable Alan D. Albright to the parties' counsel, reflecting the Court's ruling regarding the parties' venue discovery dispute, dated June 14, 2021.

25. Attached hereto as Exhibit 24 is a true and correct copy of jobs posting by Google.

26. Attached hereto as Exhibit 25 is a true and correct copy of a Google blog post titled "Coming soon to the Lone Star State: more office space and a data center," posted June 14, 2019, <https://www.blog.google/inside-google/company-announcements/texas-expansion-more-office-space-and-data-center/>.

27. Attached hereto as Exhibit 26 is a true and correct copy of excerpts from Google LLC's First Supplemental Objections and Responses to Plaintiff Sonos, Inc.'s First Set Requests for Production Concerning Venue Discovery, served May 24, 2021. The document is designated "Highly Confidential – Attorneys' Eyes Only."

28. Attached hereto as Exhibit 27 is a true and correct copy of search results from LinkedIn reflecting Google employees in Austin, Texas.

29. Attached hereto as Exhibit 28 is a true and correct copy of the LinkedIn Profiles of current and former Google employees residing in New York and Massachusetts.

30. Attached hereto as Exhibit 29 is a true and correct copy of a document titled "People working on Podcasts Frontend and related" produced by Google at Bates numbers GOOG-SONOSWDTX-00037549-51. The document is designated "Highly Confidential – Attorneys' Eyes Only".

31. Attached hereto as Exhibit 30 is a true and correct copy of a motion to file a declaration in support of transfer motion and the subject declaration submitted by Google in *Profectus Tech., LLC v. Google LLC*, No. 6:20-cv-00101-ADA (W.D. Tex.), produced by Google at Bates numbers GOOG-SONOSWDTX-000003858-65. The document is designated "Highly Confidential – Attorneys' Eyes Only".

32. Attached hereto as Exhibit 31 is a true and correct copy of excerpts containing the judicial caseload profiles for the U.S. District Court of Western Texas and Northern California, https://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile0331.2020.pdf.

33. Attached hereto as Exhibit 32 is a true and correct copy of an email from Hannah Santasawatkul, Law Clerk to the Honorable Alan D. Albright to the parties' counsel, regarding trial date, dated January 6, 2021.

34. Attached hereto as Exhibit 33 is a true and correct copy of a webpage identifying Google authorized service providers in Austin, Texas, <https://store.google.com/us/repair>.

35. Attached hereto as Exhibit 34 is a true and correct copy of a webpage listing the jobs at Intel in Austin, Texas, <https://www.intel.com/content/www/us/en/jobs/locations/united-states/sites/austin.html>.

36. Attached hereto as Exhibit 35 is a true and correct copy of a webpage showing that Samsung has manufacturing and research, and development centers in Austin, Texas, <https://www.samsung.com/semiconductor/about-us/location/>.

37. Attached hereto as Exhibit 36 is a true and correct copy of a webpage showing job listing in Austin, Texas, <https://careers-synaptics.icims.com/jobs/search?ss=1&searchLocation=12781-12827-Austin>.

38. Attached hereto as Exhibit 37 is a true and correct copy of a webpage containing information on Intel Corp.'s supply of components for the accused devices.

39. Attached hereto as Exhibit 38 is a true and correct copy of a webpage containing information on Qualcomm Techs., Inc.'s supply of components for the accused devices.

40. Attached hereto as Exhibit 39 is a true and correct copy of a webpage containing information on Synaptics Inc.'s supply of components for the accused devices.

41. Attached hereto as Exhibit 40 is a true and correct copy of a webpage containing information on NXP Semiconductors N.V.'s supply of components for the accused devices.

42. Attached hereto as Exhibit 41 is a true and correct copy of a webpage containing information on Marvell's supply of components for the accused devices.


43. Attached hereto as Exhibit 42 is a true and correct copy of a webpage containing information on Samsung's supply of components for the accused devices.

44. Attached hereto as Exhibit 43 is a true and correct copy of a webpage containing information on Broadcom, Inc.'s supply of components for the accused devices.

45. Attached hereto as Exhibit 44 is a true and correct copy of a webpage containing information on SK hynix Inc.'s supply of components for the accused devices.

46. Attached hereto as Exhibit 45 is a true and correct copy of a webpage containing information on Micron Tech., Inc.'s supply of components for the accused devices.

I declare under penalty of perjury that to the best of my knowledge the foregoing is true and correct. Executed on June 15, 2021, in Waco, Texas.


Mark D. Siegmund